

Information Sheet

Proposed Watershed-wide Waste Discharge Requirements for the Elk River and Freshwater Creek Watersheds

Introduction

The Regional Water Quality Control Board, North Coast Region (Regional Water Board) approved a motion on December 3, 2003 directing staff to issue requests for reports of waste discharge and develop watershed-wide waste discharge requirements (proposed WDRs) for timber harvesting plan activities in the Freshwater Creek and Elk River watersheds in Humboldt County, California. That motion was preceded by years of concern and activity by the Board and staff to address cumulative watershed impacts from timber harvesting activities that resulted in excessive sediment depositions and increased flooding impacts in those watersheds (and three other streams tributary to the Eel River).

The Pacific Lumber Company, the Scotia Pacific Company LLC, and Salmon Creek Corporation, all subsidiaries of MAXXAM, Inc., (hereinafter collectively referred to as the Discharger) together own approximately 76% of the Elk River watershed and 78% of the Freshwater Creek watershed, both tributary to Humboldt Bay and southeast of Eureka.

Staff has developed a set of proposed WDRs for each of the two watersheds that addresses cumulative watershed impacts from timber harvesting plan activities in the watershed with regard to sediment delivery and nuisance flooding. The basic approach is to address existing sediment discharges through existing authorities and sediment discharges from harvest-related landsliding and peak flows associated with nuisance flooding through the proposed WDRs.

Existing sources are also addressed by the federal Habitat Conservation Plan and continuing implementation of existing Regional Water Board Cleanup and Abatement Orders (CAOs), as well as requirements under the proposed WDRs to identify and control existing sources of sediment within each THP.

Sediment yield from harvest-related landslides will be addressed by the use of the Empirical Harvest-Related Landslide Delivery Model (Landslide Delivery Model). Harvest-related landslide sediment delivery will be limited to 125% of background (background being defined as landslide sediment delivery in unharvested areas and harvested areas over 15 years old). Modifications to the model and/or new model runs will be made via amendments to the WDRs as new information becomes available.

Nuisance flooding will be addressed through the use of the Empirical Peak Flow Reduction Model (EPFRM or Peak Flow Reduction Model). The increase in runoff volume attributable to timber harvesting plan activities will be based on a predicted trajectory to reach a peak flow at which the roadway at specified locations in the Elk River and Freshwater Creek are passable by a standard automobile. As with the Landslide Reduction Model, modifications to the model and/or new model runs will be made via amendments to the WDRs as new information becomes available.

This package contains the proposed WDRs for those watersheds, California Environmental Quality Act (CEQA) compliance documents, and technical reports for the models used to develop receiving water limitations. While staff has presented the concepts and some modeling data at various meetings with the discharger and the public in the last year, this package constitutes the first public draft of the proposed WDRs.

Contents of the package

Beyond this information sheet, this package contains the following items:

Elk River

- Public Notice
- Negative Declaration, Initial Study, and Environmental Checklist pursuant to the California Environmental Quality Act (Pub. Resources Code section 21000 et seq.).
- Proposed Resolution No. R1-2005-0064 adopts and contains findings pertinent and appropriate to the proposed watershed-wide Waste Discharge Requirements for the Discharger in the Elk River watershed.
- Proposed Order No. R1-2005-0065, contains the terms and provisions of the watershed-wide Waste Discharge Requirements, Attachment 1 to the Resolution
- Map of the Elk River Watershed
- Technical Report on the *Empirical Peak Flow Reduction Model for the Watershed-wide Waste Discharge Requirements for Elk River and Freshwater Creek, Humboldt County, California*, likewise detailing its operation, basic assumptions and limitations, and use in developing receiving water limitations for each of the watersheds.
- Technical Report on the *Empirical Harvest-Related Landslide Sediment Delivery Reduction Model*, detailing its operation, basic assumptions and limitations, and use in developing receiving water limitations for each of the watersheds.
- Monitoring and Reporting Program for the watershed-wide Waste Discharge Requirements

Freshwater Creek

- Public Notice
- Negative Declaration, Initial Study, and Environmental Checklist pursuant to the California Environmental Quality Act (Pub. Resources Code section 21000 et seq.).
- Proposed Resolution No. R1-2005-0066, adopts and contains findings pertinent and appropriate to the proposed watershed-wide Waste Discharge Requirements for the Discharger in the Freshwater Creek watershed.
- Proposed Order No. R1-2005-0067, contains the terms and provisions of the watershed-wide Waste Discharge Requirements, Attachment 1 to the Resolution
- Technical Report on the *Empirical Peak Flow Reduction Model for the Watershed-wide Waste Discharge Requirements for Elk River and Freshwater Creek, Humboldt County, California*, likewise detailing its operation, basic assumptions and limitations, and use in developing receiving water limitations for each of the watersheds.
- Technical Report on the *Empirical Harvest-Related Landslide Sediment Delivery Reduction Model*, detailing its operation, basic assumptions and limitations, and use in developing receiving water limitations for each of the watersheds.
- Monitoring and Reporting Program for the watershed-wide Waste Discharge Requirements

Schedule

A sequence of events leads to a hearing in September of 2005 before the Regional Water Board to consider adoption of the proposed WDRs, which begins with a 30-day public review and comment period on the proposed WDRs and background documentation. The schedule follows:

Date	Activity or Event
August 1, 2005	Public Comments due on the Proposed WDRs (this package)
August 22, 2005	Staff Report, Response to Comments, and revised WDRs available for public comments in preparation for hearing
September 14, 2005	Regional Water Board Evidentiary Hearing on the watershed-wide WDRs and public comments
September 27, 2005	Regional Water Board Adoption Hearing to consider adoption of the Watershed-wide WDRs

Submission of Comments

Paper copies or electronic copies (CD ROM) of this package may be obtained by contacting the Regional Water Board office at 707-576-2220, or from the web site at

<http://www.swrcb.ca.gov/rwqcb1/agenda/pending.html>

The deadline for submitting comments on this package is 5:00 p.m. on August 1, 2005. Comments should be directed to:

Regional Water Quality Control Board
North Coast Region
5550 Skylane Boulevard, Suite A
Santa Rosa, California 95403

Attn: Watershed-wide WDRs